

AMENDED IN SENATE AUGUST 11, 2010

AMENDED IN SENATE JUNE 22, 2010

AMENDED IN ASSEMBLY MAY 5, 2009

AMENDED IN ASSEMBLY APRIL 2, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1014

Introduced by Assembly Member Galgiani

February 27, 2009

An act to ~~amend Section 12804.9 of, and to add Section 12804.11 to, add Section 12804.13 to~~ the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1014, as amended, Galgiani. Vehicles: driver's licenses: ~~agricultural endorsement; farmers.~~

(1) Existing law authorizes the Department of Motor Vehicles to issue a restricted class A driver's license for the operation of a 2-axle vehicle weighing 4,000 pounds or more unladen when towing a livestock trailer exceeding 10,000 pounds, but not exceeding 15,000 pounds gross vehicle weight rating or gross vehicle weight, if specified conditions are met, including that the vehicle is operated by a farmer and is used to transport livestock. A violation of the Vehicle Code generally is an infraction.

This bill would authorize the department to issue a class A or class B restricted driver's license for the operation of a vehicle in the production, harvesting, or transportation of silage by a farmer, employee of the farmer, or contracted employee of the farmer, between one part of a farm and another part of that farm or from one farm to another

farm, on a highway for a distance not to exceed 20 miles from the point of origin of the trip. The bill would require the department to follow specified federal regulations in issuing those driver's licenses. The bill would require a licensed California driver applying for one of those driver's licenses, upon application and every 2 years thereafter, to submit medical information on a form approved by the department. Because a violation of the bill's provisions would be an infraction, the bill would impose a state-mandated local program.

~~(1) Existing law requires an applicant for a driver's license to submit to an examination appropriate to the class of vehicle the applicant desires to drive. Class B vehicles include, among others, a vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds. Successful completion of the examination to drive a class B vehicle qualifies the person to operate all vehicles covered under class C. Class C vehicles include, among others, a vehicle with a GVWR of 26,000 pounds or less. A violation of the Vehicle Code generally is an infraction.~~

~~This bill would revise those provisions to permit certain persons employed by an agricultural business to operate implements of husbandry and farm vehicles with a GVWR of more than 26,000 pounds only if the person obtains and maintains a class A, class B, or class C license and an agricultural endorsement issued by the Department of Motor Vehicles, after providing to the department proof of current employment by an agricultural business and evidence of implement of husbandry or farm vehicle operation training. Because a violation of the bill's provisions would be a crime, the bill would impose a state-mandated local program.~~

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12804.13 is added to the Vehicle Code,
- 2 to read:
- 3 12804.13. (a) The department may issue a restricted class A
- 4 or class B driver's license for the operation of a vehicle in the

1 *production, harvesting, or transportation of silage, as described*
2 *in subdivision (i) of Section 36101.*

3 *(b) The department shall implement subdivision (a) in*
4 *conformance with the regulations in Part 383 (commencing with*
5 *Section 383.1) of Title 49 of the Code of Federal Regulations. The*
6 *department shall follow those regulations in acting pursuant to*
7 *this section as those regulations now exist and as they are hereafter*
8 *amended.*

9 *(c) In lieu of a report of a medical examination required by*
10 *Section 12804.9, a licensed California driver applying for a*
11 *restricted license issued pursuant to subdivision (a) shall, upon*
12 *application and every two years thereafter, submit medical*
13 *information on a form approved by the department.*

14 *SEC. 2. No reimbursement is required by this act pursuant to*
15 *Section 6 of Article XIII B of the California Constitution because*
16 *the only costs that may be incurred by a local agency or school*
17 *district will be incurred because this act creates a new crime or*
18 *infraction, eliminates a crime or infraction, or changes the penalty*
19 *for a crime or infraction, within the meaning of Section 17556 of*
20 *the Government Code, or changes the definition of a crime within*
21 *the meaning of Section 6 of Article XIII B of the California*
22 *Constitution.*

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25 **All matter omitted in this version of the bill**
26 **appears in the bill as amended in the**
27 **Senate, June 22, 2010. (JR11)**
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31 **CORRECTIONS:**

32 **Text—Page 3.**
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